

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

IRMA MENDEZ,

Plaintiff,

vs.

FIESTA DEL NORTE HOME OWNERS
ASSOCIATION, et al.,

Defendants.

Case No. 2:15-cv-00314-RCJ-NJK

ORDER

(Docket No. 83)

Pending before the Court is Plaintiff Irma Mendez's second motion for the issuance of subpoenas. Docket No. 83. For the reasons discussed below, Plaintiff's motion is hereby **GRANTED**.

Rule 45 of the Federal Rules of Civil Procedure governs the issuance of subpoenas to non-parties. Such subpoenas may issue from the Court, signed by the Court Clerk or an attorney authorized to practice before the Court. Fed. R. Civ. P. 45(a)(3). *Pro se* litigants need the Court Clerk to issue a subpoena. *Alcon v. Bright*, 2015 WL 5559896, at *2 (N.D. Cal. Sept. 18, 2015). In accordance with Rule 45(a)(3), "[t]he clerk must issue a subpoena, signed but otherwise in blank, to a party who requests it[, and] that party must complete it before service." Fed. R. Civ. P. 45(a)(3).

Here, Plaintiff seeks to subpoena one non-party: Sharon Jackson, whom Plaintiff alleges is the Ombudsman for the Common Interest Communities and Condominium Hotels program. Accordingly, the Court "will grant [Plaintiff's] request [for issuance of a subpoena] and direct the Clerk of Court to issue the subpoena in blank and [send] it to Plaintiff to fill out." *Banks v. Joyce*, 2014 WL 7330938, at *1 (D. Nev. Dec. 19, 2014) (Leen, M.J.). "This practice is not uncommon in this district." *Antonetti v.*

1 *Neven*, 2014 WL 1089661, at *2 (D. Nev. Mar. 18, 2014) (citing *McCurdy v. N. Las Vegas Officer*
2 *Johnson*, No. 08-cv-1767-JAD-PAL (Docket No. 84 at 5-6) (D. Nev. Aug. 23, 2013) (Leen, M.J.)
3 (ordering the Clerk of Court to “issue a subpoena duces tecum and send it to the Plaintiff who shall
4 describe the documents he is requesting and serve it on [opposing] counsel”). Plaintiff is advised that
5 she must comply fully with Rule 45. *Banks*, 2014 WL 7330938, at *1 (D. Nev. Dec. 19, 2014) (telling
6 *pro se* Plaintiff to carefully read the same).¹

7 IT IS SO ORDERED:

- 8 1. Plaintiff’s motion (Docket No. 83) is **GRANTED** to the extent that the Clerk of Court
9 shall issue a blank subpoena on form AO 88A, and mail it to Plaintiff.
10 2. To the extent Plaintiff requests any relief other than the issuance of a blank subpoena,
11 that request is **DENIED**.
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13 DATED: December 1, 2015.

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16 NANCY J. KOPPE
17 United States Magistrate Judge
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27 ¹The Court expresses no opinion as to whether the subpoena requested is appropriate and/or timely.
28 Nothing in this shall order be construed as preventing the subpoena recipient from filing any motions she
deems appropriate.